

DECLARATION FOR NON-PROVISIONAL PATENT APPLICATION

As a below named inventor, I hereby declare that

My residence, post office address and citizenship are as stated below at 201 et seq. beneath my name

I believe I am the original, first and sole inventor if only one name is listed at 201 below, or an original, first and joint inventor if plural names are listed at 201 et seq. below, of the subject matter which is claimed and for which a patent is sought on the invention entitled

**METHODS OF USING AND COMPOSITIONS COMPRISING SIBUTRAMINE
METABOLITES OPTIONALLY IN COMBINATION WITH OTHER
PHARMACOLOGICALLY ACTIVE COMPOUNDS**

and for which a patent application:

☐ is attached hereto and includes amendment(s) filed on *(if applicable)*

☒ was filed in the United States on January 29, 2001 as Application No. 09/770,663
with amendment(s) filed on *(if applicable)*

I hereby state that I have reviewed and understand the contents of the above identified application, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

EARLIEST FOREIGN APPLICATION(S), IF ANY, FILED PRIOR TO THE FILING DATE OF THE APPLICATION			
APPLICATION NUMBER	COUNTRY	DATE OF FILING (day, month, year)	PRIORITY CLAIMED
			YES <input type="checkbox"/> NO <input type="checkbox"/>
			YES <input type="checkbox"/> NO <input type="checkbox"/>
			YES <input type="checkbox"/> NO <input type="checkbox"/>

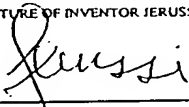
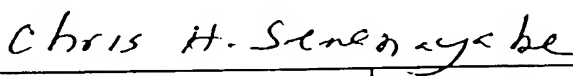

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below.

PROVISIONAL APPLICATION NUMBER	FILING DATE

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information known to me which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

NON-PROVISIONAL APPLICATION SERIAL NO.	FILING DATE	STATUS		
		PATENTED	PENDING	ABANDONED
09/372,158	August 11, 1999		✓	
09/662,135	September 14, 2000		✓	

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon

2 0 1	FULL NAME OF INVENTOR	LAST NAME JERUSSI	FIRST NAME Thomas	MIDDLE NAME P.
	RESIDENCE & CITIZENSHIP	CITY Framingham	STATE OR FOREIGN COUNTRY MA	COUNTRY OF CITIZENSHIP USA
	POST OFFICE ADDRESS	STREET 19 Garvey Road	CITY Framingham	STATE OR COUNTRY MA ZIP CODE 01701
	SIGNATURE OF INVENTOR JERUSSI 			DATE 29 June '01
2 0 2	FULL NAME OF INVENTOR	LAST NAME SENANAYAKE	FIRST NAME Chrisantha	MIDDLE NAME H.
	RESIDENCE & CITIZENSHIP	CITY Shrewsbury	STATE OR FOREIGN COUNTRY MA	COUNTRY OF CITIZENSHIP USA
	POST OFFICE ADDRESS	STREET 11 Old Farm Circle	CITY Shrewsbury	STATE OR COUNTRY MA ZIP CODE 01545
	SIGNATURE OF INVENTOR SENANAYAKE 			DATE June 15, 2001
2 0 3	FULL NAME OF INVENTOR	LAST NAME FANG	FIRST NAME Qun	MIDDLE NAME K.
	RESIDENCE & CITIZENSHIP	CITY Wellesley	STATE OR FOREIGN COUNTRY MA	COUNTRY OF CITIZENSHIP USA
	POST OFFICE ADDRESS	STREET 35 Atwood Street	CITY Wellesley	STATE OR COUNTRY MA ZIP CODE 02181
	SIGNATURE OF INVENTOR FANG 			DATE June 24, 2001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: JERUSSI *et al.*

Application No.: 09/770,663

Group Art Unit: 1614

Filed: January 29, 2001

Examiner: Not Yet Assigned

For: METHODS OF USING AND
COMPOSITIONS COMPRISING
SIBUTRAMINE METABOLITES
OPTIONALLY IN COMBINATION
WITH OTHER PHARMACOLOGICALLY
ACTIVE COMPOUNDS

Attorney Docket No.: 4821-410-999

**POWER OF ATTORNEY BY ASSIGNEE
AND EXCLUSION OF INVENTOR(S) UNDER 37 C.F.R. 3.71**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

The undersigned assignee of the entire interest in the above-identified subject application hereby appoints: S. Leslie Misrock (Reg. No. 18872), Berj A. Terzian (Reg. No. 20060), David Weild, III (Reg. No. 21094), Jonathan A. Marshall (Reg. No. 24614), Barry D. Rein (Reg. No. 22411), Stanton T. Lawrence, III (Reg. No. 25736), Charles E. McKenney (Reg. No. 22795), Philip T. Shannon (Reg. No. 24278), Francis E. Morris (Reg. No. 24615), Charles E. Miller (Reg. No. 24576), Gidon D. Stern (Reg. No. 27469), John J. Lauter, Jr. (Reg. No. 27814), Brian M. Poissant (Reg. No. 28462), Brian D. Coggio (Reg. No. 27624), Rory J. Radding (Reg. No. 28749), Stephen J. Harbulak (Reg. No. 29166), Donald J. Goodell (Reg. No. 19766), James N. Palik (Reg. No. 25510), Thomas E. Friebl (Reg. No. 29258), Laura A. Coruzzi (Reg. No. 30742), Jennifer Gordon (Reg. No. 30753), Allan A. Fanucci (Reg. No. 30256), Geraldine F. Baldwin (Reg. No. 31232), Victor N. Balancia (Reg. No. 31231), Samuel B. Abrams (Reg. No. 30605), Steven I. Wallach (Reg. No. 35402), Marcia H. Sundeen (Reg. No. 30893), Paul J. Zegger (Reg. No. 33821), Edmond R. Bannon (Reg. No. 32110), Bruce J. Barker (Reg. No. 33291), Adriane M. Antler (Reg. No. 32605), Thomas G. Rowan (Reg. No. 34419), James G. Markey (Reg. No. 31636), Thomas D.

Kohler (Reg. No. 32797), Scott D. Stimpson (Reg. No. 33607), Gary S. Williams (Reg. No. 31066), Ann L. Gisolfi (Reg. No. 31956), Todd A. Wagner (Reg. No. 35399), Scott B. Familant (Reg. No. 35514), Kelly D. Talcott (Reg. No. 39582), Francis D. Cerrito (Reg. No. 38100), Anthony M. Insogna (Reg. No. 35203), Brian M. Rothery (Reg. No. 35340), Brian D. Siff (Reg. No. 35679), Alan Tenenbaum (Reg. No. 34939), Michael J. Lyons (Reg. No. 37,386), Garland T. Stephens (Reg. No. 37,242) and William J. Sipio (Reg. No. 34,514), all of Pennie & Edmonds LLP, whose addresses are 1155 Avenue of the Americas, New York, New York 10036, 1667 K Street N.W., Washington, DC 20006 and 3300 Hillview Avenue, Palo Alto, CA 94304, all of Pennie & Edmonds LLP (PTO Customer No.), as its attorneys to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, said appointment to be to the exclusion of the inventors and their attorney(s) in accordance with the provisions of 37 C.F.R. 3.71, provided that, if any one of these attorneys ceases being affiliated with the law firm of Pennie & Edmonds LLP as partner, counsel, or employee, then the appointment of that attorney and all powers derived therefrom shall terminate on the date such attorney ceases being so affiliated.

An assignment of the entire interest in the above-identified subject application:

[] was recorded on _____ at reel/frame _/_____.

[X] is submitted herewith for recording.

Please direct all correspondence for this application to customer no. .

ASSIGNEE: SEPRACOR, INC.

Signature: _____

DOUGLAS E. REEDICH
ASSISTANT SECRETARY
SEPRACOR INC.

Typed Name: _____

Position/Title: _____

Address: _____

111 Locke Drive
Marlborough, MA 01752

Date: _____

JUN 28 2001